



United States of America  
National Labor Relations Board



## NOTICE OF ELECTION

### INSTRUCTIONS TO EMPLOYEES VOTING BY U.S. MAIL

**PURPOSE OF ELECTION:** This election is to determine the representative, if any, desired by the eligible employees for purposes of collective bargaining with their employer. (See VOTING UNIT in this Notice of Election for description of eligible employees.) A majority of the valid ballots cast will determine the results of the election. Only one valid representation election may be held in a 12-month period.

**SECRET BALLOT:** The election will be by secret ballot carried out through the U.S. mail under the supervision of the Regional Director of the National Labor Relations Board (NLRB). A sample of the official ballot is shown on the next page of this Notice. Voters will be allowed to vote without interference, restraint, or coercion. Employees eligible to vote will receive in the mail *Instructions to Employees Voting by United States Mail*, a ballot, a blue envelope, and a yellow self-addressed envelope needing no postage.

**ELIGIBILITY RULES:** Employees eligible to vote are those described under the VOTING UNIT on the next page and include employees who did not work during the designated payroll period because they were ill or on vacation or temporarily laid off. Employees who have quit or been discharged for cause since the designated payroll period and who have not been rehired or reinstated prior to the date of this election are not eligible to vote.

**CHALLENGE OF VOTERS:** An agent of the Board or an authorized observer may question the eligibility of a voter. Such challenge must be made at the time the ballots are counted.

**AUTHORIZED OBSERVERS:** Each party may designate an equal number of observers, this number to be determined by the NLRB. These observers (a) act as checkers at the counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB.

**METHOD AND DATE OF ELECTION:** The election will be conducted by United States mail. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit. On Tuesday, May 26, 2020, ballots will be mailed to voters by an agent of Region 31 of the National Labor Relations Board. Voters must sign the outside of the envelope in which the ballot is returned. Any ballot received in an envelope that is not signed will be automatically void.

Those employees who believe that they are eligible to vote and did not receive a ballot in the mail by Friday, June 5, 2020, should communicate immediately with the National Labor Relations Board by either calling the Region 31 Office at (310) 235-7352 or our national toll-free line at 1-866-667-NLRB (1-866-667-6572).

Voters must return their mail ballots so that they will be received in the National Labor Relations Board, Region 31 office by close of business at 5:00 p.m. on Tuesday, June 16, 2020. All ballots will be commingled and counted by an agent of Region 31 of the National Labor Relations Board on Friday, June 19, 2020 at 2:00 p.m. likely via a videoconference to be arranged by the Region. In order to be valid and counted, the returned ballots must be received at the Regional Office prior to the counting of the ballots. The parties will be permitted to participate in the ballot count, which may be held by videoconference. If the ballot count is held by videoconference, a meeting invitation for the videoconference will be sent to the parties' representatives prior to the count. No party may make a video or audio recording or save any image of the ballot count.



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**VOTING UNIT**

**31-RD-223318**

**EMPLOYEES ELIGIBLE TO VOTE:**

All full-time and regular part-time employees working at the Employer's facility at 1301 W. 228th Street, Torrance, CA 90501 in the following classifications: Driver (Class A/B), Utility Driver (Class A/B), Rear Driver, Front Driver, Roll Off Driver, Recycle Driver, Sweep/Barrell Driver (Class A/B), Bin Driver (Class A/B), Pull Out Driver, Utility Driver (Class C), Porter, Helper/Swamper, Truck Mechanic I, Truck Mechanic II, Truck Mechanic III, Truck Welder, Parts Clerk, Tire Repair, Lube Service, Truck Washer/Shop Utility, Bin Welder, Bin Painter, and Bin Washer who were employed by the Employer during the payroll period ending May 3, 2020.

**EMPLOYEES NOT ELIGIBLE TO VOTE:**

All other current classifications and employees, including but not limited to Dispatchers, Leads, Foremen, Sales employees, as well as all professional employees, business office clerical employees, technical employees, other nonprofessional employees, guards, managers and supervisors within the meaning of the National Labor Relations Act.





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**PLEASE READ CAREFULLY** "Instructions to Eligible Employees Voting by United States Mail" a copy of which will be enclosed with each ballot.

	<p><b>UNITED STATES OF AMERICA ESTADOS UNIDOS DE AMERICA</b> National Labor Relations Board Junta Nacional De Relaciones Del Trabajo 31-RD-223318</p> <p><b>OFFICIAL SECRET BALLOT PAPELETA SECRETA OFICIAL</b> For certain employees of Para Ciertos Empleados De</p> <p><b>ARAKELIAN ENTERPRISES, INC. D/B/A ATHENS SERVICES</b></p>	
<p>Do you wish to be represented for purposes of collective bargaining by ¿Desea usted estar representado para los fines de negociar colectivamente por</p> <p><b>PACKAGE AND GENERAL UTILITY DRIVERS, LOCAL 396, INTERNATIONAL BROTHERHOOD OF TEAMSTERS?</b></p>		
<p>MARK AN "X" IN THE SQUARE OF YOUR CHOICE MARQUE CON UNA "X" DENTRO DEL CUADRO DE SU SELECCIÓN</p>		
<p><b>YES SI</b></p> <div style="border: 1px solid black; width: 80px; height: 50px; margin: 10px auto;"></div>	<p><b>NO NO</b></p> <div style="border: 1px solid black; width: 80px; height: 50px; margin: 10px auto;"></div>	
<p><b>DO NOT SIGN THIS BALLOT. See enclosed instructions. NO FIRME ESTA PAPELETA. Vea las Instrucciones incluidas.</b></p> <p>The National Labor Relations Board does not endorse any choice in this election. Any markings that you may see on any sample ballot have not been put there by the National Labor Relations Board.</p> <p>La Junta Nacional de Relaciones del Trabajo no respalda a ninguna de las opciones en esta elección. Cualquier marca que se pueda ver en cualquier muestra de la papeleta no fue hecha por la Junta Nacional de Relaciones del Trabajo.</p>		



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#### **RIGHTS OF EMPLOYEES - FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union
- Choose representatives to bargain with your employer on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities
- In a State where such agreements are permitted, the Union and Employer may enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the Union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the Union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).

#### **It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.**

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both Employers and Unions to know what is expected of them when it holds an election.

If agents of either Unions or Employers interfere with your right to a free, fair, and honest election, the election can be set aside by the Board. When appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

#### **The following are examples of conduct that interfere with the rights of employees and may result in setting aside of the election:**

- Threatening loss of jobs or benefits by an Employer or a Union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An Employer firing employees to discourage or encourage union activity or a Union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time where attendance is mandatory, within the 24-hour period before the mail ballots are dispatched
- Incitement by either an Employer or a Union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a Union or an Employer to influence their votes

#### **The National Labor Relations Board protects your right to a free choice.**

Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law.

Anyone with a question about the election may contact the NLRB Office at (310)235-7351 or visit the NLRB website [www.nlr.gov](http://www.nlr.gov) for assistance.